

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KHUSHWINDER SINGH,

Plaintiff,

v.

ALEDADE, INC., a Delaware Corporation,

Defendant.

No.: 2:21-cv-0410-KKE

JOINT STATUS REPORT AND
DISCOVERY PLAN

Plaintiff Kushwinder Singh (“Plaintiff”) and Defendant Aledade, Inc. (“Defendant”) (collectively, “the Parties”), by and through their respective attorneys of record, submit this Joint Status Report and Discovery Plan.

1. Nature and Complexity of Case

Plaintiff alleges that, while he was Senior Medical Director of Risk and Wellness Product for Defendant Aledade, Inc. January 4, 2021 to May 10, 2021, he became aware of and investigated Aledade’s practice of guiding physicians towards selectively choosing diagnoses of patients in specific Hierarchical Condition Categories through Aledade’s IT systems and training materials for the stated purpose of increasing existing patients’ risk scores. Plaintiff further alleges he made

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objection to Aledade’s Chief Medical Officer, Dr. Emily Maxson, that this practice was a serious violation of compliance guidelines. Dr. Singh further alleged that on February 24, 2021 he raised his objections to Aledade’s operational procedures, training & coding guiding materials, and raised concerns around perpetuating false diagnoses in the medical records and causing inflation of diagnoses scores in claims going into Medicare payment submissions in a written report to Aledade’s compliance “hotline” and he continued to raise compliance concerns and objections to Aledade executives, medical staff, and human resources in March, April, and May 2021, but he was excluded from meetings relating to coding guidances and inaccuracies in Medicare claims submissions. Plaintiff further alleges that after months of objecting to Aledade’s noncompliance, he was terminated on May 10, 2021.

Defendant denies Plaintiff’s allegations and denies liability for all claims asserted by Plaintiff in the Second Amended Complaint. Defendant further alleges that Plaintiff accessed and downloaded significant amounts of Aledade confidential and proprietary information for purposes unrelated to his work for Aledade and failed to return such information following his termination from Aledade, in violation of Aledade’s Employee Proprietary Information and Inventions Agreement that Plaintiff signed at the start of his employment.

2. Deadline for Joining of Additional Parties

The parties do not anticipate joining additional parties at present but propose a deadline of 270 days before trial for any such joinder.

3. Consent to Assignment to Full Time United States Magistrate Judge

No.

1 4. Proposed Discovery Plan

2 **a. Initial Disclosures**

3 Defendant served its Initial Disclosures on October 4, 2024. Plaintiff served his Initial
4 Disclosures on October 10, 2024.

5 **b. Subjects, Timing, and Potential Phasing of Discovery**

6 The parties anticipate taking discovery as to the facts and circumstances concerning the
7 events and issues outlined above. The parties agree there is no need for special timing or phasing
8 of discovery.

9 **c. Electronically Stored Information**

10 The parties do not anticipate issues with electronically stored information (ESI) and agree
11 that no deviation from the Local Rules or the Federal Rules of Civil Procedure will be necessary
12 in the discovery of ESI.

13 **d. Privilege Issues**

14 Plaintiff does not anticipate any privilege issues arising. Defendant anticipates that
15 disputes may arise in connection with communications between Plaintiff and Aledade's Deputy
16 General Counsel, to the extent that Plaintiff retained and/or inappropriately shared information
17 protected by Aledade's attorney client privilege.

18 **e. Proposed Limitations on Discovery**

19 The parties do not propose any modification to the discovery limitations contained in the
20 Local Rules or the Federal Rules of Civil Procedure.

21 **f. Discovery Related Orders**

22 The parties do not see a need for discovery-related orders at this time. The parties agree to
23 meet and confer prior to filing any discovery motion.

5. Views, Proposals, and Agreement on Items in Local Civil Rule 26(f)(3)

a. Prompt Case Resolution

The parties jointly agree to discuss the potential for prompt case resolution.

b. Alternative Dispute Resolution

The parties agree to consider alternative dispute resolution programs, as appropriate.

c. Related Cases

The parties are not aware of any related cases.

d. Discovery Management

The parties agree to accept service of discovery requests via e-mail sent to all counsel of record and the parties will take reasonable steps to be available for depositions. Witness depositions may be conducted via zoom or other video conference application.

e. Anticipated Discovery Sought

Plaintiff anticipates seeking discovery on Plaintiff's employment, Defendant's compliance practices, and the action/activities of Defendant's agents, officers, and directors.

Defendant anticipates seeking discovery on Plaintiff's allegations.

f. Phasing of Motions

The parties do not believe that it is necessary to phase motions.

g. Preservation of Discoverable Information

The parties have taken and will take measures necessary to ensure the preservation of evidence.

h. Privilege Issues

See Section 4(d).

i. Model Protocol for Discovery of Electronically Stored Information

1 The parties do not believe there is a need to adopt the Model ESI Agreement or an
2 alternative protocol governing ESI discovery.

3 **j. Alternatives to Model Protocol**

4 The parties do not foresee the need for alternatives to the Model Protocol for discovery of
5 ESI.

6 6. The Date by Which Discovery Can be Completed

7 The parties propose that 120 days before trial be the discovery cut-off date in this case.

8 7. Whether the Case Should be Bifurcated

9 The parties agree that the case should not be bifurcated.

10 8. Pretrial Statements and Pretrial Orders

11 The parties do not wish to waive pretrial statements. The form for such pretrial statements
12 shall be set forth in the corresponding sections of LCR 16.1.

13 9. Individualized Trial Program and ADR

14 No.

15 10. Any Other Suggestions for Shortening or Simplifying the Case

16 The parties have no additional suggestions.

17 11. Date the Case will be Ready for Trial

18 The parties expect to be ready for trial by October 2025.

19 12. Whether the Trial Will be Jury or Non-Jury

20 This will be a jury trial.

21 13. The Number of Trial Days Required

22 The parties anticipate the case could be tried in 7 to 10 days.

14. The Names, Addresses, and Telephone Numbers of Trial Counsel

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1 15. The Dates on Which Trial Counsel May Have Complications to be Considered in Setting a
2 Trial Date

3 The parties have no pre-existing conflicts. Should any conflicts arise for the dates on which
4 trial is set, the parties will inform the Court at an appropriate time sufficiently in advance of the
5 trial date to resolve trial scheduling conflicts.

6 16. Service

7 Defendant has been served.

8 17. Scheduling Conference Before the Court Enters a Scheduling Order

9 The parties do not wish to have a scheduling conference.

10 18. Corporate Disclosure Statement

11 Defendant filed its statement on June 5, 2024.

12 19. Certifications

13 The undersigned certify that they have reviewed the Civil Rules, the Local Rules, the
14 applicable Electronic Filing Procedures, and have reviewed and complied with Judge Evanson's
15 Standing Order Regarding 28 U.S.C. § 455(b)(2) and Canon 3(C)(1)(b) of the Code of Conduct
16 for United States Judges.

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RESPECTFULLY SUBMITTED this 11th day of October 2024.

By: /s/ Joseph D. Gehrke
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